

9 FAM 41.57

INTERNATIONAL CULTURAL EXCHANGE VISITORS

(TL:VISA-185; 02-26-1999)

(a) Requirements for Q classification.

(TL:VISA-153; 9-10-96)

An alien shall be classifiable under the provisions of INA 101(a)(15)(Q) if:

(1) The consular officer is satisfied that the alien qualifies under the provisions of that section; and

(2) The consular officer has received official evidence of the approval by INS of a petition or the extension by INS of the period of authorized stay in such classification.

[Amended by 61 FR 1832, Jan. 24, 1996.]

(b) Approval of petition.

(TL:VISA-50; 11-15-91)

The approval of a petition by INS does not establish that the alien is eligible to receive a nonimmigrant visa.

[Added by 57 FR 31446, Sep. 16, 1992.]

(c) Validity of visa.

(TL:VISA-153; 9-10-96)

The period of validity of a visa issued on the basis of paragraph (a) of this section must not exceed the period indicated in the petition, notification, or confirmation required in paragraph (a)(2) of this section.

[Amended by 61 FR 1832, Jan. 24, 1996.]

(d) Alien not entitled to Q classification.

(TL:VISA-50; 11-15-91)

The consular officer must suspend action on the alien's application and submit a report to the approving INS office if the consular officer knows or has reason to believe that an alien applying for a visa under INA 101(a)(15)(Q) is not entitled to the classification as approved.

9 FAM 41.57 Related Statutory Provisions

INA 101(a)(15)(Q)

(TL:VISA-185; 02-26-1999)

(15) The term "immigrant" means every alien except an alien who is within one of the following classes of nonimmigrant aliens—...

(Q)(i) an alien having a residence in a foreign country which he has no intention of abandoning who is coming temporarily (for a period not to exceed 15 months) to the United States as a participant in an international cultural exchange program approved by the Attorney General for the purpose of providing practical training, employment, and the sharing of the history, culture, and traditions of the country of the alien's nationality and who will be employed under the same wages and working conditions as domestic workers; or

(ii)(I) an alien 35 years of age or younger having a residence in Northern Ireland, or the counties of Louth, Monaghan, Cavan, Leitrim, Sligo, and Donegal within the Republic of Ireland, which the alien has no intention of abandoning who is coming temporarily (for a period not to exceed 36 months) to the United States as a participant in a cultural and training program approved by the Secretary of State and the Attorney General under section 2(a) of the Irish Peace Process Cultural and Training Program Act of 1998 for the purpose of providing practical training, employment, and the experience of coexistence and conflict resolution in a diverse society, and

(II) the alien spouse and minor children of any such alien if accompanying the alien or following to join the alien.

[Added by sec. 208 of Pub. L. 101-649, November 29, 1990.]

[Amended by Pub. L. 105-319, Oct. 30, 1998.]

Sec. 2 of Pub. L. 105-219, in part

(TL:VISA-185; 02-26-1999)

Sec. 2. IRISH PEACE PROCESS CULTURAL AND TRAINING PROGRAM.

(a) **PURPOSE—**

(1) *IN GENERAL*—The Secretary of State and the Attorney General shall establish a program to allow young people from disadvantaged areas of designated counties suffering from sectarian violence and high structural unemployment to enter the United States for the purpose of developing job skills and conflict resolution abilities in a diverse, cooperative, peaceful, and prosperous environment, so that those young people can return to their homes better able to contribute toward economic regeneration and the Irish peace process. The program shall promote cross-community and cross-border initiatives to build grassroots support for long-term peaceful coexistence. The Secretary of State and the Attorney General shall cooperate with nongovernmental organizations to assist those admitted to participate fully in the economic, social, and cultural life of the United States.

(2) *SCOPE AND DURATION OF PROGRAM*—

(A) *IN GENERAL*—The program under paragraph (1) shall provide for the admission of not more than 4,000 aliens under section 101(a)(15)(Q)(ii) of the Immigration and Nationality Act (including spouses and minor children) in each of 3 consecutive program years.

(B) *OFFSET IN NUMBER OF H-2B NONIMMIGRANT ADMISSIONS ALLOWED*—Notwithstanding any other provision of law, for each alien so admitted in a fiscal year, the numerical limitation specified under section 214(g)(1)(B) of the Immigration and Nationality Act shall be reduced by 1 for that fiscal year or the subsequent fiscal year.